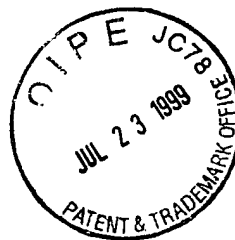


Box Seq.

SECTOR

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents,  
Attn: Box Missing Parts,  
Washington, D.C. 20231, on 7/20/99



PATENT

TOWNSEND and TOWNSEND and CREW LLP

By

*Per M. V. [Signature]*

Attorney Docket No. 018547-018570US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gingeras et al.

Examiner: Not Assigned

Serial No.: 09/285,306

Art Unit: 1643

Filed: April 2, 1999

TRANSMITTAL LETTER - RESPONSE  
TO NOTICE OF MISSING PARTS

For: MYCOBACTERIAL *RpoB* SEQUENCES

Attn: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Application - Filing Date Granted dated April 22, 1999, enclosed are the following to be made of record in the above-identified application:

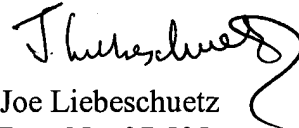
- 1) Executed Declaration and Power of Attorney
- 2) Preliminary Amendment
- 3) Copy of Notice of Missing Parts
- 4) Transmittal of Sequence Listing
- 5) Sequence Listing in Hard and Disc Format
- 6) Petition to Extend Time
- 7) Return Postcard

Please charge Deposit Account No. 20-1430 for the following fees:

(a)	Filing Fee (§ 1.16(a))	\$760
(b)	Excess Claims Fees (§ 1.16(b), (c)):	
	20 - 20 = 0 x \$18 =	\$0
	6 - 3 = 3 x \$78 =	\$234
(c)	Missing Parts Surcharge	\$130
(d)	Petition to Extend Time	\$110
<b>TOTAL FEES TO BE CHARGED</b>		<b>\$1234.00</b>

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,



Joe Liebeschuetz  
Reg. No. 37,505

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
(415) 576-0200  
Fax (415) 576-0300  
JOL/dmv



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/285,306 04/02/99 GINGERAS T 018547-01857

020350

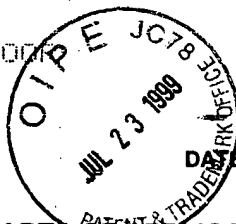
0232/0422

TOWNSEND AND TOWNSEND AND CREW

NOT ASSIGNED

TWO EMBARCADERO CENTER EIGHTH FLOOR

SAN FRANCISCO CA 94111



1643

DATE MAILED:

04/22/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☒ non-small entity is \$ 1,124

☒ 1. The statutory basic filing fee is:

- ☒ missing.  
☐ insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ 234 for 3 independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(b)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Y. I. Y. Ray

**BEST AVAILABLE COPY**

Customer Service Center

Initial Patent Examination Division (703) 308-1202

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JUL 27 1999

1999 MAR 21 0000005 201430 0928536

101 760.00 CH  
105 130.00 CH  
102 234.00 CH



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

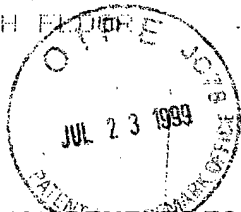
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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097285, 306 04/02/99 EINGERAS

026050

02340427

TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CENTER EIGHTH FLOOR  
SAN FRANCISCO CA 94111



DATE MAILED:

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application fails to comply with the requirements of 37 CFR 1.821 - 1.825.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. OTHER: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing."
- ☒ An initial or substitute paper copy of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:**

- ☐ For Rules Interpretation, call (703) 308-1123.
- ☐ For CRF submission help, call (703) 308-4212.
- ☐ For PatentIn software help, call (703) 308-6856.

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Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE